

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
P-4615

In Re Application Of: **Charles L. Bush Jr., et al.**

FEB 11 2005

Application No.
10/049,655

Filing Date
10/15/2002

Examiner
Kevin C. Sirmons

Customer No.
26253

Group Art Unit
3763

Confirmation No.
9693

Invention: **Medication Delivery Pen**

02/14/2005 FHETEKI1 00000032 021666 10049655

01 FC:1401 500.00 DA

02/14/2005 FHETEKI1 00000032 021666 10049655

02 FC:1253 1020.00 DA

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of August 13, 2004 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated August 13, 2004 finally rejecting Claim(s) **1 - 5**.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: November 13, 2004

Date

until: February 13, 2005

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$1,020.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,520.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. **02-1666** in the amount of **\$1,520.00**

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **02-1666**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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|-----------------|-------------|------------------|--------------|----------------|------------------|
| 10/049,655 | 10/15/2002 | Kevin C. Sirmons | 26253 | 3763 | 9693 |

Invention: Medication Delivery Pen

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Signature

Dated: 02/09/2005

Alan W. Fiedler
Attorney for Applicants
Reg. No.: 33,690
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201-847-7112

Certificate of Transmission by Facsimile*

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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on 2/ 9 /2005 (Date) _____ Signature of Person Mailing Correspondence _____ Nicole M. McRae Typed or Printed Name of Person Mailing Correspondence _____ | |
|---|--|

CC: